

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

Nashville Division

U.S. DISTRICT COURT
MIDDLE DISTRICT OF TN

03-23 0421

Case No.

(to be filled in by the Clerk's Office)

Nicholas A Russell

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Jury Trial: (check one) ☒ Yes ☐ No

Franklin Police Department

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Nicholas Russell
 Address 901 glass st
Franklin TN 37064
City State Zip Code
 County Williamson
 Telephone Number 615 982 3041
 E-Mail Address NICKRUSSELL2003@icloud.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name office ganny
 Job or Title (if known) police office
 Address 900 columbia Ave
Franklin TN 37064
City State Zip Code
 County Williamson
 Telephone Number 615-794-2513
 E-Mail Address (if known)

☐ Individual capacity ☐ Official capacity

Defendant No. 2

Name Franklin Police Department
 Job or Title (if known)
 Address 900 Columbia Ave
Franklin TN 37064
City State Zip Code
 County Williamson
 Telephone Number 615 794-2513
 E-Mail Address (if known)

☐ Individual capacity ☐ Official capacity

Defendant No. 3

Name

Job or Title (if known)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)

☐

Individual capacity

☐

Official capacity

Defendant No. 4

Name

Job or Title (if known)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)

☐

Individual capacity

☐

Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐

Federal officials (a *Bivens* claim)

☒

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Excessive use of force on an antistice
REP

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

N/A

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

~~they~~ they say ~~it~~ it was because I was autistic

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

IN the Parking structure in Franklin

- B. What date and approximate time did the events giving rise to your claim(s) occur?

~~step~~ us 7:00 PM September 6
~~Ben~~ ~~Ben~~ ~~Ben~~ ~~Ben~~ ~~Ben~~ ~~Ben~~ ~~Ben~~ ~~Ben~~ ~~Ben~~ ~~Ben~~

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

a seizure

Seizure and neck pain and Back pain

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I want to sue 3 million dollars and
Ila and would like
for give the Police because
It is the right thing to do

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

2023 APR 27 AM 9:45

U.S. DISTRICT COURT
MIDDLE DISTRICT OF TN

Nicholas Russell

Plaintiff(s),

Case Number 03-23 0421

v.

Franklin Police

Defendant(s).

Judge

Magistrate Judge

e Statement of claim pg 4c
(Type of Pleading)

I was in the parking structure
Then I was watch the gun
Sunset I was stop by the
Police the said I was
By a nuisance. I was The I
was pull out my vehicle
I was asking to take a break,
too claim down. In-stead
the pull me out the vehicle
hand on I were I had 4
Cop on my neck and back.
a I had a seizure stop
a neck and back neck back.

This image shows a single page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page, leaving small margins at the top and bottom. There are no vertical margin lines, and the page is completely blank except for the lines themselves.

(Signature)

(Print Name)

(Address & Telephone Number, if any)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the (pleading) _____
has been served on:

(Name) _____
(Address) _____
(Address) _____

(Name) _____
(Address) _____
(Address) _____

(Name) _____
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(Name) _____
(Address) _____
(Address) _____

(Name) _____
(Address) _____
(Address) _____

(Name) _____
(Address) _____
(Address) _____

on the _____ day of _____, 20____.

Signature